



^A
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,827	07/07/2000	Mika Keski-Heikkila	2132-36PCON	6798

7590 08/04/2003

Lance J. Lieberman, Esq.
Cohen, Pontani, Lieberman & Pavane
Suite 1210
551 Fifth Avenue
New York, NY 10176

EXAMINER

D AGOSTA, STEPHEN M

ART UNIT	PAPER NUMBER
----------	--------------

2683

DATE MAILED: 08/04/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/611,827

Applicant(s)

KESKI-HEIKKILA ET AL.

Examiner

Stephen M. D'Agosta

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

1. Claims 1, 4 and 8 were amended and new claims 9-10 were added.
2. The applicant argues that Beddoes does not teach a permanent ID, yet there is disclosure of a generic "cell identifier" that can take "any suitable form", which the examiner broadly interprets as it all (or partly) being permanent since it can include the area by name of town or city (which is virtually permanent). Hence the examiner interprets Beddoes reading on the applicant's claim language.
3. Amended claims 4 and 8 specifically state that the base station ID is separate from the cell ID of a global cell ID. Vendetti has been added as prior art cited since he teaches "zones" within cells that contain different ID's than the base station ID and are hence interpreted as being independent of the base station ID. These zones are located within larger cells and can be correlated to the cell base station via a database lookup table as is known in the art (ie. zones 1, 2 and 3 are near BTS ID #1 while zones 4, 5, and 6 are near BTS ID #2).

The examiner notes that Vendetti uses "zones" while the applicant uses a different numbering scheme independent of the cell ID. Either way, there are two independent numbering systems in use, otherwise, one can view Beddoes as having a cell ID with a fixed portion and a changeable portion (ie. keep the city name portion fixed but change the ID number).

Lastly, the examiner points out that the use of a never-changing permanent numbering scheme can become unwieldy if/when new base stations are added in a densely populated area. This leads to the engineer having to allocate large blocks of numbers for the future which may never be needed. In the event that not enough numbers are allocated, then a new block of numbers will need to be added which won't be in the same range (ie. five old BTS's are numbered 1 thru 5 but a new BTS added

Art Unit: 2683

will be numbered 150 since the engineer never thought more than 5 BTS's would be needed for that area and the next available number was 150) – this can lead to a huge re-addressing task as things get more and more out of synchronization. At the opposite end of the addressing spectrum is the engineer who uses large blocks of addresses for each area and only uses a few in each range, which causes the addresses to become depleted quickly. These examples are similar to TCP/IP addressing which was fixed at first but has recently moved to Dynamic addressing (DHCP) as well as using sub-class addressing since IP addresses are becoming scarce.

4. With regard to the terminal equipment changing the profile – this can be either a manual or automatic process. Beddoes teaches the user being aware that roaming has caused a change to their applicable tariff. The user can then either manually or automatically have the phone change the profile as required (eg. turn on/off long distance, etc.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 rejected under 35 U.S.C. 103(a) as being unpatentable over

Beddoes et al. EP-597638A1 (hereafter Beddoes).

As per **claims 1 and 5**, Beddoes teaches radio telecommunication systems and methods (title and C1 to C2 gives an overview of cellular operations) transmitting from the base station (BTS), an information signal for receipt by the terminal equipment being served by said BTS, the signal comprising a permanent BTS ID that uniquely identifies the BTS independent of mobile communication network configuration changes (C2, L39-56 teaches the BTS ID can take any suitable form, ie. name of town/city, area code, post office code or other form. Hence, the examiner interprets town/city name,

Art Unit: 2683

area/post codes as being "permanent" since they rarely change) **but is silent on** the subscriber profile can change based on the identity of the BTS serving the subscriber.

Changing, by the terminal equipment, the subscriber profile based on the permanent BTS ID designation received by the terminal equipment of the subscriber from the BTS (C4, L40-51 teaches the BTS ID is transmitted to the phone whereby it can receive and respond to the control signal, ie. can change it's profile based upon the received BTS ID).

The examiner takes Official Notice that a subscriber profile can be changed based on the identity of the BTS currently serving the mobile terminal (this is inferred by Beddoes since the user (eg. subscriber profile) becomes aware of the applicable tariff rate that can be changed based on the user's roaming).

As per **claims 2 and 6**, Beddoes teaches claim 1/5 wherein the signal is transmitted from the BTS to the terminal equipment in a cell broadcast channel of the mobile network (C2, L39-49 teaches broadcast).

Claims 3-4, 7-8 and 9-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Beddoes and further in view of Vendetti et al. US 5,295,180 (hereafter Vendetti).

As per **claims 3-4 and 7-8 and 9-10**, Beddoes teaches a digital and/or GSM communications network (C2, L14-16) **but is silent on the permanent BTS ID designation is separate from a cell ID of a global cell ID of the BTS.**

Vendetti teaches zones disposed in a cell area that transmit a zone ID signal independent of the normal RF cell coverage (abstract and figure 2) which reads on the claim language.

It would have been obvious to one skilled in the art at the time of the invention to modify Beddoes, such that a permanent BTS ID is used that is separate from the cell ID of a global ID, to provide a second non-changing ID that will not be affected by network reconfigurations.

Conclusion

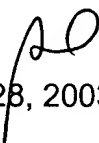
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 703-306-5426. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

SMD 
July 28, 2003


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600